

## IOWA PUBLIC INFORMATION BOARD[497]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 23.6, the Iowa Public Information Board hereby gives Notice of Intended Action to adopt Chapter 8, “Open Meetings,” Iowa Administrative Code.

This amendment reflects Board decisions on complaints involving the open meetings laws in Iowa Code chapter 21.

Any interested person may make written suggestions or comments on the proposed amendment on or before June 16, 2015, by contacting Charlie Smithson, Executive Director, Iowa Public Information Board, Wallace State Office Building, Third Floor, 502 East Ninth Street, Des Moines, Iowa 50319. Comments may be submitted by e-mail to [Charlie.Smithson@iowa.gov](mailto:Charlie.Smithson@iowa.gov).

The proposed amendment contains specific waiver provisions.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code chapter 21.

The following amendment is proposed.

Adopt the following **new** 497—Chapter 8:

### CHAPTER 8 OPEN MEETINGS

#### **497—8.1(21,23) Notice.**

**8.1(1) *When posted.*** As provided in Iowa Code section 21.4, a governmental body shall give notice of the time, date, and place of the meeting and the tentative agenda at least 24 hours prior to the commencement of the meeting unless for good cause such notice is impossible or impractical. The notice requirement also applies when there is a change to the original notice except as provided in Iowa Code section 21.4(3).

**8.1(2) *Where posted.*** Notice shall be posted at those locations designated in Iowa Code section 21.4. The notice shall be posted in an area that is easily accessible by the public or in an area where the notice is easily viewable by the public and shall be posted for at least 24 hours prior to the commencement of the meeting unless for good cause such notice is impossible or impractical. The posting of a notice in an area that is not normally used for the posting of notices or public announcements shall not be deemed proper notice.

**8.1(3) *Closed session.*** When a governmental body includes a closed session item on the tentative agenda, the notice shall include a brief statement of the purpose of the closed session. It shall not be deemed sufficient notice for the governmental body to only reference the statute by number and subparagraph without more information. For example, it shall not be sufficient notice for the governmental body to list as an agenda item “closed session 21.5(1)(a).” An example of notice deemed sufficient would be “closed session 21.5(1)(c) discuss litigation with counsel.”

This rule is intended to implement Iowa Code chapter 21.